REMARKS

Applicants wish to thank the Examiner for considering the present application. In the Office Action dated June 14, 2005, claims 1-30 are pending in the application. The allowability of claims 5, 6, 11, 12, 18, 19, 23, and 24 if rewritten in independent form is noted. Applicants respectfully request the Examiner to reconsider the rejections.

Applicants have submitted herewith a copy of the Japanese reference and the Soviet Union references that were not received by the Examiner. Applicants respectfully request the Examiner to reconsider the rejections.

Claims 1-4, 7, 13-17, 20, and 26-27 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Watson* (6,529,811) in view of *Kurosawa* (4,712,807).

Claim 1 is directed to determining a road roll rate, determining a wheel departure angle in response to the road roll rate, and controlling the vehicle in response to the wheel departure angle.

Applicants respectfully submit that the *Watson* reference does not have a road roll rate. The road roll rate is different than the sensor roll rate as set forth in the specification. The road roll rate may have some pitch component therein. Applicants admit that the *Watson* reference does have a roll rate sensor. However, no teaching of a road roll rate is set forth therein.

The *Kurosawa* reference is set forth for teaching a wheel departure angle. The wheel departure angle is illustrated in Fig. 2. As can be seen, the wheel departure angle is the angle between the vehicle axle and the road surface. Applicants have reviewed the *Kurosawa* reference and can find no teaching or suggestion of determining a wheel departure angle, let alone determining a wheel departure angle in response to a road roll rate. Applicants respectfully request the Examiner to reconsider the rejection of claim 1.

Claims 2-4, 7, and 13-14 are dependent upon claim 1 and are also believed to be allowable for the same reasons set forth above.

Claim 15 sets forth determining a total roll angle velocity, determining a wheel departure angle in response to the total roll angle velocity, determining a relative roll angle, and controlling the safety system in response to the wheel departure angle and the relative roll angle. As mentioned above, the wheel departure angle is set forth in Fig. 2. Also, the relative roll angle is set forth in Fig. 2 as well. The relative roll angle is the angle between the vehicle axle and the body of the vehicle. Applicants have reviewed both of the references and can find no distinction between these two types of roll angles. Therefore, Applicants respectfully request the Examiner to reconsider the rejection of claim 15.

Claims 16, 17, 20, and 26-27 are dependent upon claim 15. Applicants respectfully request the Examiner to reconsider these rejections as well.

Claims 8 and 21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Watson* and *Kurosawa* as applied to claims 1 and 15 in further view of *Ikemoto* (4,797,823).

Claims 8 and 21 both recite determining a road roll rate comprising determining the road roll rate in response to the roll rate and a yaw rate. Applicants can find no teaching or suggestion in Cols. 10-11, lines 30-34, for a road roll rate determined using roll rate and a yaw rate. Applicants therefore respectfully request the Examiner to reconsider the rejections of claims 8 and 21 as well.

Claims 9, 10, and 22-23 stand rejected as being unpatentable over *Watson* (6,529,811) and *Kurosawa* (4,712,807) in view of *Ikemoto* and *Iwasaki* (5,935,181). These claims are also dependent upon respective claims 1 and 15. As mentioned above, several limitations are missing from the *Watson* and *Kurosawa* references.

The *Iwasaki* reference also does not teach or suggest the elements missing from the above references. Applicants can find no teaching or suggestion for determining a road roll rate in response to a roll rate, yaw rate, and pitch rate for a yaw rate and pitch rate. Applicants therefore respectfully request the Examiner to reconsider this rejection as well.

Claims 28-30 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Ikemoto* (4,797,823) in view of *Iwasaki* (5,935,181). Applicants respectfully traverse.

Claim 28 is an independent claim that includes a roll rate sensor, a lateral acceleration sensor, and a yaw rate sensor. The sensors are coupled to a controller and the controller determines a total roll velocity from the roll rate signal, the yaw rate signal, and the pitch rate signal. The controller determines a relative roll angle from the roll rate signal and the lateral acceleration signal. The controller determines a wheel departure angle from the total roll velocity. The controller determines a calculated roll signal from the wheel departure angle on the relative roll angle signal. As mentioned above, both the *Ikemoto* reference and the *Iwasaki* reference do not make a distinction between the relative roll angle and a roll angle. Also, no teaching or suggestion is found for a total roll velocity that uses the roll rate signal, yaw rate signal, and the pitch rate signal. Therefore, neither of the references teaches or suggests the elements of claim 28. Therefore, Applicants respectfully request the Examiner to reconsider this rejection as well.

In light of the above remarks, Applicants submit that all rejections are now overcome. The application is now in condition for allowance and expeditious notice thereof is

earnestly solicited. Should the Examiner have any questions or comments which would place the application in better condition for allowance, he is respectfully requested to call the undersigned attorney.

Please charge any fees required in the filing of this amendment to Deposit Account No. 06-1510.

Respectfully submitted,

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